IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Manish Mathur Vs. State of Rajasthan & Ors.
D.B. HABEAS CORPUS WRIT PETITION NO.781/2007

Writ Petition under Article 226 of the Constitution of India.

DATE OF ORDER :: 26th February, 2007.

PRESENT

HON'BLE MR.JUSTICE S. P. PATHAK
HON'BLE MR.JUSTICE G. S. SARRAF

Mr. Anil Sharma for petitioner.
Mr. S.K. Vyas, G.A.
Mr. Ranjan Mishra & Mr. Inder Bishnoi for respondent No.4.
Miss. Anju Khinchi, assisting lawyer.

By this Habeas Corpus petition, moved under Article 226 of the Constitution, the petitioner has prayed for production of the Corpus before the Court.

The corpus has been produced in the Court at 11 AM today. Corpus Kumari Nirupama Sharma is a student of B.Com Final Year. She was asked to sit in the company of Advocate Ms. Anju Khinchi in our Chambers. She has

remained in the chambers for more than one and a half hour. The petitioner has also talked to the girl.

The petitioner, the girl and her parents are present with their advocates.

After having satisfied that the girl is not under any fear or compulsion, she was asked to write whatever she desired. She, in her own handwriting, has written her statement in our presence. In the statement, it is stated that she is not willing to go with the petitioner as her future is not secure with him. It is also stated that since the petitioner threatened her that he would commit suicide, she under the emotional influence married with him in the Arya Samaj. It is also stated that during her talk with the petitioner in the Court, the petitioner tried to persuade her to accompany him swaying her under emotions. She has stated in clear terms that she is major and she does not want to go in the company of the petitioner.

After carefully examining the statement given by corpus Nirupama Sharma, who is major and does not want

to go with the petitioner, we are of the opinion that the corpus should be left to go in the company of her parents, who have produced her in the Court.

Now, there remains no cause to be determined in this matter.

The petition stands disposed of accordingly.

The corpus shall be free to move according to her own wish and desire and if she wants to go with her parents, she may do so.

(G.S. SARRAF)J. **(SATYA PRAKASH PATHAK)J.**

/jpa